

SENATE BILL 3318

By Burks

AN ACT to amend Tennessee Code Annotated, Title 65, Chapter 25, Part 2, relative to requiring rural electric and community services cooperatives to be subject to open meetings and public records.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 65, Chapter 25, Part 2, is amended by adding the following language as new sections:

§ 65-25-236.

(a) Cooperatives shall be subject to the open meeting provisions of title 8, chapter 44, part 1.

(b) All records of cooperatives shall be public records in accordance with the provisions of title 10, chapter 7, part 5.

§ 65-25-237.

(a) Prior to the adoption of any plan that may result in the acquisition of real property for new or expanded electric power distribution facilities costing in excess of ten thousand dollars (\$10,000) or that may require the use of eminent domain for acquisition of real property, or for any plan that may result in the installation of new incoming power supply lines which traverse new routes or which carry higher voltages than existing supply lines, the cooperative shall:

(1) Provide not less than one hundred twenty (120) days' public notice of such plans by publishing a summary of the plans in a newspaper of general circulation in the county or counties that may be affected by the plans including all counties that may be traversed by any new, rerouted or higher voltage or supply line. The notice shall advise interested persons where they may examine and obtain copies of the plans; and

(2) Conduct at least one (1) public meeting at least thirty (30) days prior to any action by the cooperative's board to adopt such a plan. The public meeting shall be scheduled at a time and location which gives due consideration to the convenience in attendance by ratepayers and those to be affected by the plans. The public meeting shall include an opportunity for public questions and comments.

(b) The plan document shall describe and discuss the alternatives considered, state the cooperative board's preferred alternative and the reasons therefore.

(c) The plan documents shall describe the nature, need and amount of the proposed investment, and the demand projections to which the proposed investment responds. The plan documents shall describe and quantify the consideration given to alternatives including demand changes due to rate increases, and changes due to energy efficiency, energy conservation, and distributed and renewable energy generation.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.